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Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office

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Paper No: 2005-0399 Appeal No: Monty Krieger et al. Appellant: 08/765,108 Application No: **Hearing Room: Hearing Docket:** Tuesday, March 08, 2005 Hearing Date: Hearing Time: 10:00 AM Location: MADISON BUILDING (EAST WING)

600 Dulany Street

Alexandria, Virginia 22313-1450 NOTICE OF HEARING

Your attention is directed to 37 CFR § 41.47.

The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up.

CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED.

This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

Failure to file this form within this time period will be construed as a waiver of the request for oral hearing.

37 CFR § 1.136(a) does not apply. By order of the Board of Patent Appeals and Interferences

BPAI HEARINGS FAX No:

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P.O. BOX 1450 Paralegal Specialist ALEXANDRIA, VIRGINIA 22313-1450 In all communications relating to this appeal, please identify the appeal by its number. JAN 2 4 2005 **CHECK ONE:** HEARING ATTENDANCE CONFIRMED U.S. PATENT AND TRADEWARD OFFICE ■ HEARING ATTENDANCE WAIVED BOARD OF PATERS A AND INTERPERS

Names of other visitors expected to accompany counsel:

Signature of Attorney/Agent/Appellant

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see http://www.uspto.gov/web/offices/dcom/bpai/docs/contacts/contact_info.htm

Date